

**KANSAS STATE BOARD OF TECHNICAL PROFESSIONS
ACTION AGENDA
MAURICE BOWERSOX, CHAIR**

DECEMBER 15, 2017

10:00 A.M.

The meeting was called to order by Chair Bowersox at 10:12 am.

Members present were:

Maurice Bowersox, P.E.
Steve Brosemer, P.S.
Forrest Erickson, P.E.
Larry Graham, P.E., P.S.
Edward Halloran, Public Member
Robert Henthorne, P.G.
William Haverkamp, P.S.
Joseph Johnson, Architect
Carisa McMullen, Landscape Architect
Vincent Mancini, Architect
Eric Wimmer, Architect, Public Member

Members absent were:

Richard Hayter, P.E.

Others present were:

Michael Armstrong, CEO, NCARB
Joshua Batkin, Director of Council Relations, NCARB
Terry Humphrey, Executive Director, AIA Kansas
Mark Bennett, Litigation Counsel for the Board
Athena Andaya, Deputy Attorney General assigned to the Board as General Counsel
Tom Luedke, Bennett & Hendrix, LLC
Shelby Lopez, Executive Director
Sarah Easter, Assistant Director
Jessica Pierce, Public Service Administrator

I. INTRODUCTION OF NEW BOARD MEMBER

Fredrick Laurino, public member, was introduced to the board.

II. INTRODUCTION OF GUESTS

Michael Armstrong, Chief Executive Officer and Joshua Batkin, Director of Council Relations, NCARB were introduced to the Committee.

III. MINUTES

KSBTP ACTION AGENDA, DECEMBER 15, 2017

By motion of Mr. Johnson, seconded by Mr. Graham, the Board voted to approve the minutes of the September 22, 2017 meeting.

IV. ADDITIONS OR ADJUSTMENTS TO THE AGENDA

There were none.

V. REVIEW AND APPROVAL OF CONSENT AGENDA

By motion of Mr. Johnson, seconded by Mr. Graham, the Board voted to approve the Consent Agenda.

VI. PUBLIC COMMENTS – 10:15 AM

There were none.

VII. EXECUTIVE SESSION (IF NEEDED)

There was no executive session.

VIII. ATTORNEY REPORT

Ms. Lopez requested guidance from Ms. Andaya regarding revisions to K.A.R. 66-9-7 and K.A.R. 66-10-3, specifically related to the requirement for applicants for a license to practice architecture by reciprocity to obtain an NCARB certificate. Ms. Andaya reiterated that all revisions to regulations must come through the Attorney General's office for approval. As board counsel, Ms. Andaya advises that NCARB is a private association and due to the first amendment the Board cannot require membership. Ms. Andaya agreed to meet with Ms. Lopez to work on moving forward with regulation revisions.

IX. REVIEW OF INQUIRIES/COMPLAINTS & ATTORNEY REPORTS

A. Complaint Files – Report from Complaint Committee – Chair Henthorne

1. Report of Case Files with final action taken by the committee
2. Receipt of Complaint Committee Report
3. Legal Matters/Correspondence

X. COMMITTEE AND ADMINISTRATIVE REPORTS

A. ARCH/LA/PG Committee – Chair McMullen

Ms. McMullen provided the ARCH/LA/PG Committee report. The Committee had no applications to approve. The ASBOG annual meeting was held October 30 – November 4 in Portland, OR. ASBOG is moving toward computer-based testing. FG exam numbers are increasing due to ASBOG outreach, PG numbers remain flat. CLARB is currently revising their leadership structure. CLARB and ASLA held a joint web licensure summit to discuss best practices for boards and chapters related to developing and strengthening relationships and communicate the importance of collaboration between boards and chapters in responding to threats to licensure. Mr. Mancini is a member of the Model Law Task Force. The task force met in Washington, D.C. this fall and is looking at moving to FARB's model law. There are several proposed changes to NCARB b-laws. There will be an opportunity for input at the regional Summit in March and at the Annual meeting in June.

By motion of Mr. Johnson, seconded by Mr. Graham, the Board voted to accept the committee report.

B. PE/PS Committee – Chair Erickson

Mr. Erickson provided the PE/PS Committee report. The Committee approved 13 applications and requested additional information on two applications. The Committee tabled two requests to accept unofficial transcripts for NCEES evaluation and requested additional information.

The Committee directed Ms. Lopez to respond to communication regarding the practice of professional engineering as it relates to fire protection engineers. Mr. Erickson reported that the Board has received a request from the Kansas Society of Land Surveyors for the KSBTP to seek an opinion from the Kansas Attorney General on whether Professional Surveyors are required to have their signature notarized when it is placed upon his/her professional seal in accordance with K.A.R. 66-6-1. The Committee recommends seeking an AG opinion.

By motion of Mr. Graham, seconded by Mr. Erickson, the Board votes to direct Ms. Lopez to move forward in requesting an opinion from the Kansas Attorney General on whether Professional Surveyors are required to have their signature notarized when it is placed upon his/her professional seal in accordance with K.A.R. 66-6-1.

Mr. Erickson reports that Jerry Carter, CEO, NCEES has announced his retirement effective August 2018. Funded delegates for the NCEES Zone meeting are Mr. Haverkamp, Mr. Graham and Mr. Erickson.

By motion of Mr. Graham, seconded by Mr. Erickson, the Board voted to accept the committee report.

C. Audit Review Committee – Chair Mancini

Mr. Mancini presented the Audit Review Committee report. Members of the Committee are Mr. Mancini, Mr. Brosemer and Mr. Graham. The charge of the Committee is to review CE audit policies and recommend any revisions necessary. 2017 audit results reveal that of 204 licensees audited, only 9 (4.5%) individuals certified they met the requirements but could provide documentation. The Committee defers recommendations until the Continuing Education Task Force completes their work.

D. Continuing Education Task Force – Chair Hayter

Mr. Mancini presented the Continuing Education Task Force report in Mr. Hayter's absence. Mr. Mancini reviewed the Committee's charges and the revised Continuing Education Guidelines. The Board discussed the revised guidelines. No action was taken.

E. Administrative Report

Ms. Lopez gave the administrative and budget report. The Board's ending cash balance as of November 30, 2017 is \$1,745,503.68. Ms. Lopez presented the renewal fee reductions forecast for a 15%, 20% and 25% reduction in fees. No action was taken on the renewal fee structure. By motion of Mr. Graham, seconded by Mr. Erickson the Board voted to accept the Administrative Report.

XI. CORRESPONDENCE

There was none.

XII. UNFINISHED BUSINESS

There was none.

A. NEW BUSINESS

A. NCARB

Mr. Armstrong presented a brief overview of NCARB and provided information regarding recommended changes to NCARB By-laws. No action taken.

B. Draft Licensure Bill – Interstate Compact for the Temporary Licensure of Professionals

Ms. Lopez provided an update on a potential licensure bill related to an Interstate Compact for the Temporary Licensure of Professionals. No action taken.

C. Executive Director Performance Review Committee

Mr. Bowersox suggested himself and Mr. Wimmer, Board Vice-Chair serve on the Executive Director Performance Review Committee.

D. Recognition of Mark Bennett, Jr. Retirement

The Board recognized Mr. Bennett for 41 years of service to the Board as Litigation Counsel.

E. Upcoming board meeting dates:

1. February 8 and 9, 2018 – Topeka KS (Certificate Ceremony)
2. April 19 and 20, 2018 – Lenexa, KS (Shafer, Kline, & Warren)

3. July 19 and 20, 2018 – Topeka, KS

A. ADJOURN

By motion of Mr. Graham, seconded by Mr. Haverkamp, the Board voted to adjourn at 12:50 p.m.

Prepared by:

Attest:

Shelby Lopez
Executive Director

Larry Graham
Secretary for the Board